

Exhibit B

2/27/24 Motion Order

E.D.N.Y.–C. Islip
21-cr-405
Brown, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 27th day of February, two thousand twenty-four.

Present:

Guido Calabresi,
José A. Cabranes,
Raymond J. Lohier, Jr.,
Circuit Judges.

Rickey Lynch,

Petitioner,

v.

23-7759

United States of America,

Respondent.

Petitioner Rickey Lynch, through his counsel Samantha Chorny, petitions for a writ of prohibition barring District Court Judge Gary Brown from presiding over Lynch's ongoing criminal proceedings. The Government has not responded.

We construe the petition as seeking mandamus relief. *See In re Basciano*, 542 F.3d 950, 955–58 (2d Cir. 2008) (considering mandamus petition challenging district court's denial of recusal motion). Upon due consideration, it is hereby ORDERED that the petition is DENIED because Lynch has not clearly and indisputably demonstrated that the district court abused its discretion in declining to recuse. *See id.* at 955–56.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court


